

**HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY**

-
Writ Appeal No. 749 of 2007

Between:

Boda Madhava Reddy

... Appellant

And

The State Election Commission,
Hyderabad & others

... Respondents

:: J U D G M E N T ::

Counsel for the appellant : Shri Peri Prabhakar

Counsel for respondent No.1: Shri V.V. Prabhakar Rao

September 14, 2007

Per G.S. SINGHVI, CJ

This is an appeal for setting aside order dated 24.04.2007 passed by the learned Single Judge in Writ Petition No. 8635 of 2007, whereby he refused to issue a mandamus to the State Election Commission (for short, 'the Commission') to decide the complaint filed by the petitioner under Section 19-B of the Andhra Pradesh Panchayat Raj Act, 1994 (for short, 'the Act') for removal of respondent No.3 from the post of Sarpanch of Gram Panchayat, Madhapur, Bejjanki Mandal, Karimnagar District.

At the hearing, Shri V.V. Prabhakar Rao, learned counsel for the Commission produced before the Court copy of communication No.A1/3785/07 dated 31.07.2007, whereby the District Panchayat Officer, Karimnagar informed the appellant and others regarding compliance of Section 230-B of the Act by respondent No.3.

In view of the above development, the appeal is disposed of as infructuous with liberty to the appellant to file fresh petition or avail

appropriate legal remedy, if any for questioning the decision contained in communication dated 31.07.2007.

As a sequel to disposal of the writ appeal as infructuous, W.A.M.P.No.1501 of 2007 filed by the appellant for interim relief is disposed of as infructuous.

Shri V.V. Prabhakar Rao is requested to hand over a xerox copy of communication dated 31.07.2007 to Shri Peri Prabhakar, learned counsel for the appellant.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

September 14, 2007

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